

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52646 of 2023

Arising Out of PS. Case No.-33 Year-2021 Thana- SUPAUL District- Supaul

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Shashi Paswan S/O Heera Paswan R/O Village- Belamohan, P.S- Phulparas,
Distt.- Madhubani.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kumar Goutam

For the Opposite Party/s : Mr.Raj Ballabh Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 31-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 395 of the Indian Penal Code, read with Section 3/4 of Explosive Substance Act.

3. The prosecution case in nutshell is that 5-6 miscreants broke into the house of informant and committed robbery. It is further alleged that they took away gold ornaments, five kg silver ornament, cash about 5,00,000/-. They also inflicted injury to one Tribhuban Sah by exploding bomb.

4. It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. Neither the petitioner is named in F.I.R. nor



he has been put on T.I.P. Nothing incriminating has been recovered from his conscious possession. His name transpired in this case on the basis of confessional statement of co-accused Badal Paswan. Moreover, the petitioner is languishing in judicial custody since 7.2.2023. Similarly situated co-accused Indrajeet Paswan has already been granted bail by this Court by order dt. 4.9.2023 passed in Cr. Misc. No. 57936 of 2023.

5. Learned APP appearing for the State has vehemently opposed the prayer for Bail and submitted that the petitioner has got four criminal antecedents.

6. Considering the aforesaid facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Supaul P.S. Case No. 33 of 2021 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge-IV, Supaul subject to following conditions:-

(i) the petitioner shall co-operate in the trial and shall be present on each and every fixed date and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.



(ii) In case, the petitioner repeats offence of similar nature after enlargement on bail, his bail bonds will be cancelled by the Court below.

(Sunil Kumar Panwar, J)

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